

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the  
Southern District of Texas

United States of America

v.

Bobby Garcia  
Hebbronville, TX

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 06, 2016 in the county of Webb in the  
Southern District of Texas, the defendant(s) violated:


Code Section

8 USC 1324

Offense Description

a citizen of the United States, did unlawfully transport six undocumented alien (s) within the Southern District of Texas knowing or in reckless disregard of the fact that said alien(s) had come to, entered, or remained in the United States in violation of law, and transported or moved said alien(s) within the United States by means of motor vehicle, in furtherance of such violation of law;

This criminal complaint is based on these facts:

 Continued on the attached sheet.

/s/

Complainant's signature

Angelo Velastegui, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/11/2016

Judge's signature

City and state: Laredo, Texas

Diana Song Quiroga, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT**

In support of Criminal Complaint

**UNITED STATES OF AMERICA**

**V.**

**Bobby Garcia**

**CRIMINAL COMPLAINT**

**Case Number:**

On October 6, 2016, Border Patrol Agents (BPA) were working roving patrol duties on State Highway (SH) 359 near Aguilares, Texas. At approximately 9:00p.m., agents observed a white over grey Ford Explorer traveling east on SH 359. The vehicle appeared to be riding heavily laden from the rear cargo area. The vehicle had turned onto FM 649N towards Mirando City, Texas. FM 649N is not the direct route of travel from Laredo, Texas to Hebbronville, Texas and agents also observed several subjects in the Explorer moving around.

With the vehicle riding low, agents decided to conduct and immigration inspection of the occupants in the Ford Explorer. As agents turned on the vehicle emergency equipment to conduct a vehicle stop on the Explorer, the Explorer came to a complete stop and the rear passenger door opened abruptly. Three subjects emerged from the vehicle and absconded into the nearby brush. Agents were able to apprehend the driver and three other subjects that remained in the vehicle. BPA identified themselves to all the occupants of the vehicle. Agents identified the driver, Bobby Garcia and questioned him as to his citizenship, which he replied to be a US citizen. All the three remaining subjects, when questioned as to their citizenship, they all stated they were citizens and nationals of Mexico with no legal right or documentation to remain in or reside legally in the United States. All subjects were transported to the Hebbronville Station for further processing.

Bobby Garcia was read his Miranda Rights. GARCIA waived his rights to have an attorney present during questioning and advised he was willing to give a statement. The following story was revealed: Garcia stated that he was introduced to smuggling by his cousin Villarreal. Garcia mentioned that his cousin asked him if he wanted to make some extra cash moving some "chivos" (chivos is a slang word used to identify undocumented aliens) for \$1,000 USD. Garcia stated that he followed his cousin from Hebbronville, Texas all the way to Laredo, Texas. Garcia stated that he picked up the undocumented aliens at the Stripes on Hwy 359 near the fire department. Garcia mentioned that he was told by his cousin to drop off the undocumented aliens on the last curve after Thompsonville. Garcia described that once he saw the lights of the Border Patrol unit, he told the undocumented aliens not to run, but three of them freaked out and ran into the nearby brush when he pulled over.

Armando Espana-Jimenez was willing to give a statement regarding the smuggling attempt. Espana stated he made arrangements with a known smuggler in his hometown of Metzitan, Hidalgo, Texas to be smuggled to Austin, Texas. Espana stated he was going to pay \$5,500.00 USD. He took a bus from his hometown to Nuevo Laredo, Tamaulipas, Mexico where an unknown man was already waiting for him at the bus station. Espana stated the unknown man took him to an unknown house where he stayed until he crossed the river. Espana mentioned that once he

crossed the river, a sport utility vehicle picked him and the rest of the group up and were transported to an unknown house and they remained in the house for approximately twenty minutes before being picked up again and taken to an unknown hotel. Espana stated they were in the hotel room all day, until the white vehicle they were apprehended in picked them up. Espana stated he did not know the driver personally, but was able to positively identify GARCIA as the driver on a photo lineup. Espana stated that Garcia told them to lay down in the back of the vehicle because he had to pick up more people. Espana mentioned they were on the road for approximately one hour before being pulled over by U.S. Border Patrol.

Simon Grijalva-Angeles was willing to give a statement regarding the smuggling attempt. Grijalva stated his cousin made arrangements with an unknown man for him to be smuggled to Austin, Texas. Grijalva stated he was going to pay \$5,500.00 USD. Grijalva mentioned he swam across the river around 7:00a.m and was picked up by an unknown man in a brown Explorer. Grijalva stated he was taken to an unknown house where he remained for approximately one hour, he was then picked up again and taken to an unknown hotel. Grijalva stated they remained in the hotel room all day. Grijalva stated he did not know the driver, but was able to identify Garcia, the driver, through a photo lineup.

SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Signature of Judicial Officer

\_\_\_\_\_  
Signature of Complaint